



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	122C	Manual of Requirements for Resource Family Parents	2-13-2012
Subchapter:	2	Licensing Procedures	
Section	2	Issuance of a license (N.J.A.C. 10:122C-2.2)	

§10:122C-2.2 Issuance of a license

(a) The Office of Licensing shall issue a license to an applicant who has achieved full compliance with all applicable level I requirements and substantial or full compliance with all applicable level II requirements.

(b) The Office of Licensing may grant a waiver of a level II requirement for a resource family parent or applicant providing kinship care, as specified in N.J.A.C. 10:122C-1.2(b)3.

1. Requests for waivers shall be made to the Office of Licensing in writing by the Division or contract agency representative, with supporting information justifying the request.

2. Waivers shall be considered on a case-by-case basis, only for non-safety standards for a specific child or children in placement. For the purpose of determining whether a waiver will be granted, level II requirements shall be considered non-safety standards.

3. A waiver may be granted at the discretion of the Office of Licensing upon consideration of the following criteria:

i. The type or degree of hardship that would result to the resource family parent or applicant if the waiver were not granted;

ii. The negative impact on a specific child or children in placement if the waiver were not granted; and

iii. Whether the waiver, if granted, would adversely affect the health, safety, well-being or rights of any child residing in the resource family home.

4. The Office of Licensing shall determine the terms and conditions for granting each specific waiver.

5. If a waiver is granted, the resource family parent or applicant shall comply with the terms and conditions of the waiver.

(c) The Office of Licensing shall notify the applicant and the appropriate Division office or contract agency of the decision on licensure.

(d) The Office of Licensing shall notify the appropriate Division office or contract agency of the decision on waivers, if applicable.

(e) If the Office of Licensing determines that the applicant is in full compliance with all applicable level I requirements and in substantial compliance with, but does not meet all applicable level II requirements, and there is no serious or imminent hazard to the rights, education, health, safety, well-being or treatment needs of a child who is or may be placed in the home, the Office shall issue a license to the applicant and indicate in writing the steps the applicant must take to correct the areas not in compliance.

(f) If a license cannot be issued because there is a serious or imminent hazard to the rights, education, health, safety, well-being or treatment needs of a child who is or may be placed in the home, the office of Licensing shall provide written notification to the applicant indicating the steps, if any, the applicant must take to secure a license.

(g) The license shall apply to the resource family parent at the home in which the resource family resides at the time of the application.

1. No more than one license shall be issued to a single residence.

2. The license shall be issued to one or more specific persons for a specific residence.

3. The license shall not be transferable, except as specified in (h) below.

(h) If the resource family changes residence, the Office of Licensing representative shall inspect the new residence to determine whether it is in compliance with the applicable provisions of this chapter. The resource family parent shall provide notice of a change of residence at least 30 days in advance of the move.

(i) Each licensing period shall be three years.

1. In determining the expiration date of the license, the Office of Licensing shall compute the three-year licensing period from the date of issuance of the first license.

2. In determining the expiration date of a renewed license, the Office of Licensing shall compute the three-year licensing period from the date on which the previous license expired. If, however, the home has ceased to operate for a period of one year or more following the expiration date of its previous license,

the Office shall compute the date of the expiration from the date of issuance of a new license.

(j) The resource family parent shall maintain the license on file at the home.

(k) The resource family parent or applicant shall not make claims either in advertising or in any written or verbal announcement or presentation contrary to the licensing status of the resource family parent or applicant.